

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.No.953 of 2018

and

WMP.No.1147 of 2018

N.Nanjappan

S/o.Late Nagamani Mudaliar

.. Petitioner

Vs.

1. The District Collector
Coimbatore District
District Collectorate
Huzur Road,
Coimbatore.

2.The District Revenue Officer
District Collectorate Office Compound
Coimbatore.

3.The Tahsildar
Perur Taluk
Coimbatore.

4.The Revenue Inspector
Vadavalli, Perur Taluk
Coimbatore.

5.The Village Administrative Officer
Vadavalli
Coimbatore.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to demand notices dated 07.04.2017, 01.05.2017 and 01.11.2017 issued by the 4th respondent and quash the same and consequently, direct the respondents 1 and 2 to pay compensation to the petitioner for

the acquisition of the patta land to an extent of 100 sq.ft within the time.

For Petitioner : Mr.Mukunth
for Mr.V.Sivakumar
For Respondents : Mr.D.Suriya Narayanan
Additional Government Pleader

O R D E R

Mr.D.Suriya Narayanan, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the demand notices dated 07.04.2017, 01.05.2017 and 01.11.2017, issued by the fourth respondent. Consequently, the petitioner seeks for a direction to the respondents 1 and 2 to pay compensation for the acquisition of the subject matter land, measuring to an extent of 100 sq.ft.

3. Upon perusing the impugned demand notices and considering the pleadings of the petitioner and the submissions made by the learned counsel for the petitioner, it is evident that what is challenged in this writ petition is not simple demand notices and on the other hand, they are the notices, also calling upon the petitioner to file their objections, if any against such demand. Therefore, in effect, the impugned demand is to be construed as a show cause notice, calling upon the petitioner to show cause as to why such demand cannot be imposed on the petitioner. Admittedly, the petitioner has made a representation / objections on 10.11.2017, in pursuant to the receipt of the demand notices. Therefore, it is for the concerned authorities, more particularly, the third respondent to consider the said objections filed by the petitioner and pass orders on the same on merits and in accordance with law. In the said representation, the petitioner also claims for compensation. Therefore, all those aspects shall be considered by the third respondent on merits and in accordance with law, while disposing the petitioner's representation dated 10.11.2017.

4. Thus, this writ petition is disposed of, without expressing any view on the merits of the claim made by the petitioner, only with a direction to the third respondent to

consider the said representation of the petitioner and pass orders on the same on merits and in accordance with law, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the third respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

mk

To

- 1.The District Collector
Coimbatore District
District Collectorate
Huzur Road, Coimbatore.
- 2.The District Revenue Officer
District Collectorate Office Compound
Coimbatore.
- 3.The Tahsildar
Perur Taluk
Coimbatore.

+ 1 cc to Mr.V.Sivakumar Advocate, SR.3465
+ 1 cc to The Govt.Pleader, SR.4121

W.P.No.953 of 2018

nr 07/02/2018

सत्यमेव जयते

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